

**CHAPTER 1175****GAMBLING AND LIQUOR CONTROL***S.F. 2057*

**AN ACT** relating to the conduct of pari-mutuel racing by authorizing wagering on simultaneous telecast races, by providing for the conduct of meetings by certain nonprofit corporations, by authorizing sales of alcoholic beverages at racetracks and on Sundays, by subjecting violators to existing penalties, and by providing an effective date.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 21.2, subsection 1, Code Supplement 1989, is amended by adding the following new paragraph:

**NEW PARAGRAPH.** f. A nonprofit corporation whose facilities or indebtedness are supported in whole or in part with property tax revenue and which is licensed to conduct pari-mutuel wagering pursuant to chapter 99D or a nonprofit corporation which is a successor to the nonprofit corporation which built the facility.

Sec. 2. **NEW SECTION.** 21.11 APPLICABILITY TO NONPROFIT CORPORATIONS.

This chapter applies to nonprofit corporations which are defined as governmental bodies subject to section 21.2, subsection 1, paragraph "f", only when the meetings conducted by the nonprofit corporations relate to the conduct of pari-mutuel racing and wagering pursuant to chapter 99D.

Sec. 3. Section 99B.6, subsection 1, unnumbered paragraph 1, Code Supplement 1989, is amended to read as follows:

Except as provided in subsections 5, 6, 7, and 8, and 9 gambling is unlawful on premises for which a class "A", class "B", class "C", or class "D" liquor control license, or class "B" beer permit has been issued pursuant to chapter 123 unless all of the following are complied with:

Sec. 4. Section 99B.6, Code Supplement 1989, is amended by adding the following new subsection:

**NEW SUBSECTION.** 9. Pari-mutuel wagering authorized under chapter 99D may be conducted within a racetrack enclosure which is licensed as an establishment that serves or sells alcoholic beverages as defined in section 123.3 if the pari-mutuel wagering is conducted pursuant to chapter 99D and rules adopted under chapter 99D.

Sec. 5. Section 99D.11, subsection 6, paragraph b, Code Supplement 1989, is amended to read as follows:

b. The commission may authorize the licensee to simultaneously telecast within the racetrack enclosure for purpose of pari-mutuel wagering a horse or dog race licensed by the racing authority of another state. It is the responsibility of each licensee to obtain the consent of appropriate racing officials in other states as required by the federal Interstate Horseracing Act of 1978, 15 U.S.C. § 3001-3007, to televise races for the purpose of conducting pari-mutuel wagering. A licensee may also obtain the permission of a person licensed by the commission to conduct horse or dog races in this state to televise races conducted by that person for the purpose of conducting pari-mutuel racing. However, arrangements made by a licensee to televise any race for the purpose of conducting pari-mutuel wagering are subject to the approval of the commission, and the commission shall limit a licensee to ten races a calendar year which races are chosen by the commission and which are select the races to be televised. The races selected by the commission shall be the same for all licensees approved by the commission to televise races for the purpose of conducting pari-mutuel wagering. The commission shall not authorize the simultaneous telecast or televising of and a licensee shall not simultaneously telecast or televise any horse or dog race for the purpose of conducting pari-mutuel wagering unless the simultaneous telecast or televising is done at the racetrack of the licensee on a day and during the time, when there is a are horse or dog racing meet aces being held at the

racetrack. For purposes of the taxes imposed under this chapter, races televised by a licensee for purposes of pari-mutuel wagering shall be treated as if the races were held at the racetrack of the licensee.

Sec. 6. Section 123.30, subsection 3, paragraph d, Code 1989, is amended to read as follows:

d. CLASS "D". A class "D" liquor control license may be issued to a railway corporation, to an air common carrier, and to passenger-carrying boats or ships for hire with a capacity of twenty-five persons or more operating in inland or boundary waters, and shall authorize the holder to sell or furnish alcoholic beverages, wine, and beer to passengers for consumption only on trains, watercraft as described in this section, or aircraft, respectively. Each license is valid throughout the state. Only one license is required for all trains, watercraft, or aircraft operated in the state by the licensee. However, if a watercraft is an excursion gambling boat licensed under chapter 99F, the owner shall obtain a separate class "D" liquor control license for each excursion gambling boat operating in the waters of this state.

Sec. 7. Section 123.36, subsection 6, Code 1989, is amended to read as follows:

6. Any club, hotel, motel, or commercial establishment holding a liquor control license, subject to section 123.49, subsection 2, paragraph "b", may apply for and receive permission to sell and dispense alcoholic liquor and wine to patrons on Sunday for consumption on the premises only, and beer for consumption on or off the premises between the hours of ten a.m. and twelve midnight on Sunday. A class "D" liquor control licensee may apply for and receive permission to sell and dispense alcoholic beverages to patrons for consumption on the premises only between the hours of ten a.m. and twelve midnight on Sunday. For the privilege of selling beer, wine, and alcoholic liquor on the premises on Sunday the liquor control license fee of the applicant shall be increased by twenty percent of the regular fee prescribed for the license pursuant to this section, and the privilege shall be noted on the liquor control license.

Sec. 8. Section 123.49, subsection 2, paragraph a, Code Supplement 1989, is amended to read as follows:

a. Knowingly permit any gambling, except in accordance with chapter 99B, 99D, 99E, or 99F, or knowingly permit solicitation for immoral purposes, or immoral or disorderly conduct on the premises covered by the license or permit.

Sec. 9. EFFECTIVE DATE.

This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 19, 1990

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**CHAPTER 1176**  
**CREDIT AGREEMENTS**  
*H.F. 677*

**AN ACT** relating to written credit agreements between a creditor and debtor and rights of action on that agreement.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. **NEW SECTION. 535.17 REQUIREMENTS OF CREDIT AGREEMENTS – STATUTE OF FRAUDS – MODIFICATIONS.**

1. A credit agreement is not enforceable in contract law by way of action or defense by any party unless a writing exists which contains all of the material terms of the agreement and is signed by the party against whom enforcement is sought.